

1 Roderick M. Thompson (State Bar No. 96192)  
rthompson@fbm.com  
2 Robert C. Holtzapple (State Bar No. 145954)  
bholtzapple@fbm.com  
3 Helen Dutton (State Bar No. 235558)  
hdutton@fbm.com  
4 Diego F. Acevedo (State Bar No. 244693)  
dacevedo@fbm.com  
5 Farella Braun & Martel LLP  
235 Montgomery Street, 17th Floor  
6 San Francisco, CA 94104  
Telephone: (415) 954-4400  
7 Facsimile: (415) 954-4480

8 Attorneys for Plaintiff  
VISA U.S.A. INC.

10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 VISA U.S.A. INC.,

14 Plaintiff,

15 vs.

16 MARITZ INC., d/b/a MARITZ  
LOYALTY MARKETING,

17 Defendant.

Case No. CV-07-5585 BZ

**[PROPOSED] ORDER GRANTING  
PETITION TO COMPEL ARBITRATION**

Date: January 2, 2008  
Time: 10:00 a.m.  
Courtroom: G (15<sup>th</sup> Floor)  
Hon. Bernard Zimmerman, USMJ

19  
20 Having reviewed the submissions of the Parties, and considered the arguments of counsel,  
21 the Court finds that VISA U.S.A., INC'S PETITION TO COMPEL ARBITRATION should be  
22 GRANTED. Thus the Court Orders as follows:

23 1. The petition to compel arbitration in accordance with the Parties' July 2007 Letter  
24 Agreement is hereby GRANTED.

25 2. This action is STAYED pending the conclusion of the Parties' arbitration.  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IT IS SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Hon. Bernard Zimmerman  
UNITED STATES MAGISTRATE JUDGE